



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,713	12/07/2001	Alexander Aschir	112740-368	4727
29177	7590	03/22/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			WEAVER, SCOTT LOUIS	
			ART UNIT	PAPER NUMBER
			2645	
DATE MAILED: 03/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/009,713

Applicant(s)

ASCHIR, ALEXANDER

Examiner

Scott L. Weaver

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-6 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 4-6 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments filed 9/27/2004 with respect to claims 4-6 have been considered however, the arguments are not persuasive.

With respect the remarks directed toward Voit:

The remarks directed toward col.10, ln.47-50 suggest that applicant believes only a calling subscriber may activate supplementary services, this can not be a reason for the examiner to allow the claims because Voit clearly refers to the called station being the activator of the services (see for example abstract; col.13,ln.44-col.14,ln.46, in particular see col.13,ln.44-52), the subscriber is referred to as being at the called station and has option to specify how to the route the call. A called party record (CPR) is used (col.13,ln.54-59), the CPR is in a database accessed by the ISCP (col.12,ln.2-5). Figure 2 is exemplary of the method steps being referred to in the rejection below as in S3 of figure 2 which shows the interactive session beginning, proceeding to S10 for display of data and eventually to S8 and S9 which shows the SSP routing the call. Col.14,ln.54-67 refer to the ISCP performing the actual routing of the call with col.15,ln. 48-60 referring to the actual response by the telephone network in responding to the menu option selected in col.15,ln.13-24.

With respect to the remarks suggesting the claim is different because Voit relies on a dual broadband wireless / narrowband telephone network, the examiner cannot use this as reason to allow the claim since the claim merely presents that the method occurs in a telecommunication network and does not exclude such a system as used by Voit by any of the limitations as presented.

With respect to the remarks directed toward the use of a set top box, the examiner can not use this as a reason to allow the claim since the claim relies on open ended language in the method steps presented by use of "comprising" and so does not exclude any component from a system which performs the method as claimed. The set top box as shown in figure 2 does not run independently but rather is interactive with the telephone network. Regardless, this is not required or excluded by the claim limitations as presented. The claim presents the generation step absent any particular component in a system performing the step.

The remarks directed toward only the calling party activating the supplementary services and as being described in col.15 and 16 is not agreed with as clearly the reference in each of these columns is to a called party selecting disposition for incoming calls made by a calling party.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Voit et al. (#5,751,707).

The claims read on Voit as follows: with reference to (col.12,ln.8-20; col.13,ln.44-col.14,ln.46; col.15,ln.1-35; figures 2-4) Voit teaches as pertains to claim 4 a method for administering supplementary services in a telecommunications system including steps of routing call from calling subscriber station to an intelligent node (via ISCP and S2 in figure 2, the SSP queries ISCP, ISCP recognizes called party call processing record (CPR) which is used to implement supplementary services for the subscribers), an operating menu is generated by the ISCP sending query to generate a wireless network signaling address with a display of operating menu with supplementary features generated in response (col.15,ln.13-16). With respect to claim 5, Voit teaches the menu is transmitted via wireless network signaling address message and thus is considered a wireless application protocol page as far as such phrase is limited by the claim language as presented. With respect to claim 6, the menu is transmitted during signaling of the call to the called subscriber station.

Conclusion

4. The prior art previously made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2645


5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Weaver whose telephone number is 571-272-7548. The examiner can normally be reached on Tuesday to Friday 8 AM to 6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 but may be changed after 3/22/05, please check with TC 2600 customer service for verification, 800-786-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SCOTT L. WEAVER
PRIMARY EXAMINER

Art Unit 2645